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DD/S 68. 4/023

OGC 68-1471

6 August 1968

MEMORANDUM FOR: Deputy Director for Support

SUBJECT: Retirement with Reemployment Rights

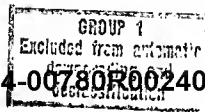
I have the following comments with respect to the proposal forwarded with your memorandum of 2 August, subject as above:

a. There seems to be a fundamental conflict between Colonel White's suggestion that the procedure as adopted be limited to persons in the Civil Service Retirement System and the purpose of the program as stated in Mr. Wattles' memorandum of 31 July, namely to fully utilize the quota of 400 retirements by 30 June 1969 established by the CIA Retirement Act.

b. There is no indication of standards by which it is to be determined that an individual is or is not to be permitted to engage in this program. The absence of standards of course suggests the possibility of favoritism or the appearance of favoritism. In any event, in order to meet this point and because the response to the program quite possibly will produce very few participants, it would seem desirable that the regulation or notice announcing the program state that all employees within the prescribed age limits may participate.

c. There would seem to be no need for a contractual agreement with the employee and indeed a psychological disadvantage in having one. What is needed is a flat commitment, which could be established by the issuance of the notice, on the part of

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the Agency that an employee may return not later than say one year after his retirement date provided he notifies the Agency of his desire to do so within a specified time, perhaps during the eleventh month of his retirement.

d. I would doubt that the proposal would accomplish many retirements. In fact, it seems likely that only persons eligible to retire who have located or developed a new job or activity which appears satisfactory to them, but who nevertheless hesitate because it might not turn out to be satisfactory, would respond favorably. Supergrades in particular would not be attracted by the offer since their return to employment would be at a lower grade.

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LAWRENCE R. HOUSTON
General Counsel

DD/S Distribution:

Orig - DD/S Subject ✓

1 - D/Pers, Attn: DD/Pers

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